IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16470 of 2004

Between:

R. B. Muni Reddy, S/o. R.B. Bali Reddy
R/o. D.No.4/106-A, Yarraguntla (Village),
Yarraguntla (M), Cuddapah District.

..... PETITIONER

AND

1 The Managing Director, A.P. Generation Corporation Ltd.,
Vidyut Soudha, Somajiguda, Hyderabad.
2 The Executive Director (HR), A.P.Genco Ltd., Vidyuth Soudha, Hyderabad.
3 The State of A.P., rep. by its Principal Secretary,
Department of Labour, Secretariat, Hyderabad .
4 The Asst. General Manager, B.H.E.Ltd., Rayalseema Thermal Power Project,
II Stage Construction Unit Site, VV.Reddy Nagar, Yerraguntla (M),
Cuddapah District, Pin:516312.
5 The Project Manager, Larsen &Toubro Limited,
ECC Construction Group, RTPP Site, Cuddapah District.
6 The Project Manager, Harji Company, R.T.P.P,
Yerraguntla, Cuddapah District.
7 The Chief Engineer(O & M,) R.T.P.P., V.V. Reddy Nagar, Cuddapah District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in not engaging the petitioner as contract labour, by giving preferential treatment, in construction works pertaining to Rayalaseema Thermal Power Project-II stage, as arbitrary, illegal and violative of Article 14, 16 and 21 of the constitution of India and consequently direct the respondents to engage the petitioner, forthwith, as contract labour in R.T.P.P.II

Stage construction works on preferential basis by considering his representation dt. 24.07.2004 and representation dt. 12.08.2004 of the regional president, A.P. Power Generating Employees union (E-1535).

Counsel for the Petitioner:MR.ANDERAVI KUMAR

Counsel for the Respondent No1,2 and 7.: SMT.K.SESHARAJYAM (SC FOR AP GENCO)

Counsel for the Respondents No.3. G.P. for labour

Counsel for the Respondent No.4: Sri K.Srinivasa Murthy

Counsel for the Respondents 5 and 6. None appeared

The Court made the following :

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ORDER:

The petitioner contends that he has been working as a contract labourer under the respondent Corporation since 1992 in different spells. He contends that he is entitled to be engaged on preferential basis under the control of the 7th respondent. The petitioner further contends that he made representations to the respondents No.1 and 7 on 24-7-2004 and through the Union on 12-8-2004, requesting to engage him as contract labour on preferential basis in R.T.P.P. II construction works.

The grievance of the petitioner is that the respondents No.1 and 7, so far did not pass any orders on the representations regarding his request to engage him as contract labour on preferential basis.

In the light of the submissions made by the petitioner the respondents No. 1 and 7 are directed to pass appropriate orders on the representations of the petitioner and the Union of contract labourers, regarding the request of the petitioner for his engagement as a contract labourer on preferential basis, within four weeks from the

date of receipt of copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.Yethirajulu,J.

15th September, 2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director, A.P. Generation Corporation Ltd.,
Vidyut Soudha, Somajiguda, Hyderabad.
2 The Executive Director (HR), A.P.Genco Ltd., Vidyuth Soudha, Hyderabad.
3 The Principal Secretary,
Department of Labour, the State of A.P., Secretariat, Hyd.
4 The Asst. General Manager, B.H.E.Ltd., Rayalseema Thermal Power Project,
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7 The Chief Engineer(O & M,) R.T.P.P., V.V. Reddy Nagar, Cuddapah District.

8.. 2CCs to G.P.for Labour, High Court Buildings, Hyderabad (OUT)

2.2CD copies

THE HONOURABLE Dr. JUSTICE G.YETHIRAJULU

W.P.No. 16470 OF 2004

15th September, 2004